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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/308,195	05/12/1999	ERIC THIBAUT	410.016	5847

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EXAMINER

RIMELL, SAMUEL G

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 12/05/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

AG

Office Action Summary

Application No.

09/308,195

Applicant(s)

THIBAUT ET AL.

Examiner

Sam Rimell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 9-11 is/are rejected.
- 7) ☒ Claim(s) 5-8, 12-14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Preliminary Note: The information disclosure statements of 5/12/99 and 9/22/99 have been fully considered.

Claims 5-8 and 12-14 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from all claims simultaneously, and multiple dependent claims cannot depend from other multiple dependent claims. See MPEP § 608.01(n). Accordingly, the claims 5-8 and 12-14 have not been further treated on the merits.

Claims 1-4 and 9-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1: In lines 1-2, the phrase "the management of quality" lacks antecedent basis. In lines 2-3, the phrase "this therapeutic process" lacks antecedent basis. In line 7, the phrase "this way" and "these operations" are indefinite and lack antecedent basis. In line 11, it is not clear what is being referred to by the word "it". In line 11, the phrase "for each batch of samples" lacks antecedent basis, since no batch of samples previously referred to. In line 13-14, the phrase "for each functional stage, a stage of sequential and conditional validation of said stage" is confusing and infinite. In line 15, the phrase "the following validation stage" lacks antecedent basis. In line 14, "the processing of data" lacks antecedent basis. In line 15, the phrase "this validation stage" lacks antecedent basis. In line 16, the phrase "the information" lacks antecedent basis. In the last two lines of the claim, the phrase "the standard operating procedure and/or the list of the anomalies detected" is indefinite.

Claim 2: It is not clear where the validation password is input. Is it input into a computer?

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Claims 3: It is not clear what is meant by the phrases "(PO, Pei, EP, EA, EC, EI)". The phrase "the display means" lacks antecedent basis.

Claim 4: The phrase "the batch of samples lacks antecedent basis.

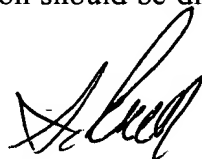
Claim 9: This claim contains all of the same bases of rejection recited with respect to claim 1. In addition, is not clear whether the claim is addressed to a system or a method. The preamble calls for a system but the claim appears to be primarily addressed to a set of method steps.

Claims 10-11: It is not clear what is meant by the phrases "(GN, CTn, Ln, Cyn, CRn, CB)".

Claims 1-4 and 9-11 are obviously informal, and contain so many grounds of rejection under 35 USC 112 that that no meaningful examination in light of the prior can be made at this time. A search has been performed on the invention based on the contents of the specification, and relevant references are cited with this action.

In response to this action, applicant is required to address every single ground of rejection and objection set forth in this action, or submit substitute claims. The submission of substitute claims is recommended.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.



Sam Rimell
Primary Examiner
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